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List of issues and questions in relation to the combined fifth and sixth periodic reports of Estonia

Addendum

Replies of Estonia*

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Note: The present document is being circulated in English, French and Spanish only.
* The present document is being issued without formal editing.

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Access to justice and legal complaint mechanisms

Question 1

1. Based on the court decisions database, it can be said that no reference has been made in court decisions to the Convention during the period of 2006-2016.

2. In 2013, the Gender Equality and Equal Treatment Commissioner received 116 complaints, memorandums and requests for explanation, 61 of which concerned gender equality. 44 contacts of 116 concerned the area of work. In 15 cases the Commissioner established occurrence of discrimination. In 2014, the number of complaints, memorandums and requests for explanation was 192, 90 of which concerned gender equality. 114 contacts of 192 concerned the area of work. In 39 cases the Commissioner established occurrence of discrimination. In 2015, the number of complaints, memorandums and requests for explanation received by the Commissioner was 209, 70 of which concerned gender equality. 98 contacts of 209 concerned the area of work. No data is yet available concerning the number of cases regarding which the Commissioner established occurrence of discrimination. No statistical information is gathered by the Commissioner concerning regional distribution of the complaints.

3. The number of cases proceeded by the Chancellor of Justice (CoJ) in matters of equal treatment and discrimination has been relatively stable during the years. Only a few of them concern gender equality. In 2013, the CoJ was contacted on 39 occasions with the issues concerning equality and equal treatment. Mostly, these concerned the general fundamental right to equality. Five proceedings concerned different treatment due to a specific attribute of discrimination. The CoJ made a recommendation to comply with legality and good administrative practice in two cases and a proposal to eliminate the violation in one case. In 20 proceedings, the matter concerned conformity of a legal act with the Constitution. In 2014, the CoJ was contacted on 51 occasions with the issues concerning equality and equal treatment. Of these, 34 cases concerned the general fundamental right to equality and 17 concerned discrimination. The CoJ made a recommendation to comply with legality and good administrative practice in one case. In 28 proceedings, the matter concerned conformity of a legal act with the Constitution. Three complaints concerned conformity of legislative acts with the principle of gender equality, two of these focusing on rights and obligations of men. No violation of the Constitution was established. In 2015, the CoJ was contacted on 51 occasions with the issues concerning equality and equal treatment. Of these, 30 cases concerned the general fundamental right to equality and 21 concerned discrimination. The CoJ made a recommendation to comply with legality and good administrative practice in one case. In 24 proceedings, the matter concerned conformity of a legal act with the Constitution. One of the cases concerned rules of a local government which entitled only a mother to receive childbirth allowance. The CoJ did not initiate proceedings because that would not have been effective to protect the rights of the applicant taking into account the expected time of birth of the child. The applicant was explained which remedies were available. Another complaint concerned issues of salary of a male prison official. The CoJ did not establish a gender-related difference in treatment. During the reporting period 2013-2015 no conciliation proceedings were carried out. As the proceedings are voluntary, very often the reason is reluctance of the respondent to consent to participate in the proceedings.

4. The number of labour disputes proceeded in Labour Dispute Committees was 17 in 2013, 28 in 2014 and 25 in 2015. While in 2013, the complaints were lodged only in two biggest regions, in 2014 the regional distribution included 5 regions and in 2015 already 8. Respectively 6, 10 and 12 of the complaints concerned unequal treatment of an employee on grounds of sex or based on becoming a parent or parenting small children. In 2013, 2 applications were withdrawn, in 3 cases discrimination was established. A compensation of 1,000 EUR was decreed in accordance with the Gender Equality Act in one of the cases. In 2014, 3 applications were withdrawn, in 4 cases discrimination was established. Compensation decreed varied from 900 to 2,100 EUR. In 2015, discrimination was established in 7 cases, with compensation varying from 100 to 3,000 EUR.

Question 2

5. Actions taken under two ESF gender equality programmes (p. 177 of the CEDAW report) included among other activities e.g. two media campaigns tackling awareness about gender stereotypes, development and dissemination of information materials on the Gender Equality Act for both general public and professional level and trainings to lawyers, judges and members of the Labour Dispute Committees on implementation of the act. Special efforts were made to reach the Russian-speaking minority — campaign and information materials targeting general public were translated into Russian.

6. Also the Gender Equality and Equal Treatment Commissioner has provided training for lawyers, members of the Labour Dispute Committees and labour inspectors on implementation of the Gender Equality Act, both in the framework of the Norway Grants project (p. 178 of the CEDAW report) and as a part of general implementation of the tasks of this institution. In the framework of the Norway Grants project the Commissioner's Office also provided a yearly one-day counselling in 15 county centres of Estonia. Often also public information event was held on the same day to raise general awareness on non-discrimination.

7. No specific regular trainings are provided to members of legal professions on gender equality issues. Also, no specific impact assessment of trainings held has been conducted.

8. The Police and Border Guard Board and accommodation centre for asylum seekers have an obligation to introduce and explain the rights and duties to asylum seekers after their arrival.

9. Refugees, including refugee women, have an obligation to pass an integration programme which includes the topics of human rights and gender roles.

Question 3

Resources of the Gender Equality and Equal Treatment Commissioner

10. The work of 225 persons in the Office of the Commissioner was funded from the State budget in 2012-2014. From 2015, additional resources were allocated from the State budget for the Commissioner to start preparations for fulfilling duties of the independent monitoring mechanism of the UN CRPD. This enabled also adding one more post. Additional personnel (up to 5 persons) was hired to support implementation of the Norway Grants 2009-2014 project in 2013-2016 (first quarter), with posts being financed from the project budget. Starting from 2015, the

Commissioner has been given additional resources for providing support to non-discrimination and gender mainstreaming in the use of the EU Structural Funds. This enabled hiring 2 additional persons.

11. Financial resources provided to the Commissioner from the State budget were: 62,351 EUR in 2013, 75,691 EUR in 2014, 162,525 EUR in 2015 and 160,825 EUR in 2016.

Competences of the Chancellor of Justice and the Gender Equality and Equal Treatment Commissioner

12. The risk of possible overlap of competences of the Commissioner and the CoJ is mitigated by co-operation of the two institutions. No other specific measures have been considered necessary.

Establishment of an independent national human rights institution

13. Establishing the national institution for the protection of human rights (NHRI) is continuously under consideration by the Estonian authorities. In view of the existing competences of the institutions and considering, among other things, the size of the national administration Estonia has so far not made the decision to establish any new institutions to deal with the issues of human rights. The Chancellor of Justice, an independent institution, uniting the function of the general body of petition and the guardian of constitutionality, observes and ensures the application of international human rights norms in Estonia in the best possible manner. It covers most of the functions of the NHRI in compliance with the Paris Principles.

National machinery and gender mainstreaming

Question 4

Gender Mainstreaming Working Group

14. Regular gender mainstreaming trainings provided for members of the Gender Mainstreaming Working Group have facilitated improvement of implementation of gender mainstreaming in some policy areas. To further support these efforts, practical and tailor-made gender mainstreaming trainings were organised by the Ministry of Social Affairs for policy-makers in six ministries in the framework of the ESF programme in autumn 2015.

Gender Equality Council

15. In 2014, the Gender Equality Council ordered a thorough analysis of implementation of the Gender Equality Act. The first part of the study, concentrating on the awareness and practices of employers, was carried out in 2015. It provided insight to some shortages in the regulation, its implementation by and awareness of employers. Researchers also suggested indicators for monitoring the implementation of the GEA in the future.

16. The Council has also given an opinion to the Government that a specific gender equality strategy and action plan should be developed. Additionally, after national parliamentary elections in spring 2015 the Council sent to all parties represented in the new parliament recommendations for the Government for

promoting gender equality in 2015-2018. The recommendations prioritized five objectives: 1) decreasing negative impact of gender stereotypes on the everyday life and decisions of women and men and on the development of economy and society; 2) supporting equal economic independence of women and men; 3) increasing gender balance on all levels of management and decision-making; 4) increasing the quality of life for both women and men and 5) supporting systematic and effective implementation of gender mainstreaming. In 2016, the Council also gave its comments to the draft "Welfare Development Plan 2016-2023" which includes Government's gender equality policy priorities and reflects also Council's prior proposals.

Gender budgeting and gender mainstreaming projects

17. In 2006-2007 the Gender Equality Commissioner was involved in the EU project "Equality for local development: gender mainstreaming in municipalities" in the framework of which local government officials received training, a roundtable for the general public was organized and a gender mainstreaming manual for local governments was prepared and translated into Estonian.

18. Another EU financed project "Mainstreaming gender perspective into State budget" was carried out in 2010-2012 in co-operation with the Ministry of Social Affairs and the Commissioner. The project showed that the main obstacles to gender mainstreaming are a lack of statistics disaggregated by sex, lack of awareness of gender equality, of information about gender inequality in different areas of government and of specific goals for gender equality in different fields of activity. At the same time, the project helped to increase an awareness, willingness and competencies of ministerial level staff concerning the gender mainstreaming strategies and gender responsive budgeting. Additionally, a gender budgeting handbook was prepared.

19. The work of NGO-s carried out in 2008-2010 supported gender mainstreaming, including gender budgeting-related awareness raising at the local level by creating discussions, organising trainings and workshops and translating and publishing European-level information materials.

20. The impact of these activities of both national authorities and NGOs has by now been weakened by its project-based nature and time distance but did create a basis for further activities.

21. In the framework of the Norway Grants project, the Office of the Commissioner carried out a range of activities to support implementation of gender mainstreaming, including a seminar on improving political decision making through gender impact assessment and an online gender mainstreaming handbook for State and local level policymakers. Additionally, several analysis papers drawing attention to gender issues in specific policy areas were published. From autumn 2013 to spring 2016 e-newsletter was published periodically on the latest developments in gender equality and gender mainstreaming.

22. In order to provide additional support for the policy-makers and -implementers for gender mainstreaming and complying with the principle of equal treatment in the use of the EU Structural and Investment Funds, a competence centre was created to the Office of the Commissioner in April 2015.

Temporary special measures

Question 5

23. So far, no temporary special measures have been adopted by the State. Also, no specific awareness-raising activities have been implemented focusing on temporary special measures. Information about more general awareness-raising activities targeting e.g. officials, employers and general public is provided under relevant questions of the LOI.

Stereotypes

Question 6

Gender Equality Monitoring Surveys

24. Mainly the results of the Gender Equality Monitoring Surveys (GEM) indicate to policy makers in which areas there is a public expectation and support for stronger policy measures, in which areas and for which groups there is still a need for awareness-raising etc.

25. For example, results of the GEM (2009 and 2013) indicate that in general women still have a greater role in all child- and family-related responsibilities. Also, over 60 per cent of respondents consider that family life and children are restricting women´s career opportunities (both in 2009 and 2013). People are as well of the opinion that fathers have fewer opportunities to take parental leave, because employers think that taking care of family is more a woman´s responsibility. Over the years the situation has slightly improved. In 2009, 40 per cent of respondents estimated that in their workplace it is difficult for men to take child care leave until the child becomes 3 years old. In 2013, this figure had dropped to 34 per cent.

26. The need and options for supporting a notable change in sharing care responsibilities between women and men has also been addressed in a Green Paper on family benefits, services and parental leave. More detailed information is provided under question 16 of the LOI. Also, the action plan of the "Welfare Development Plan 2016-2016" includes plans for measures to raise public awareness of the need and positive impact of sharing both care burden and unpaid housework more equally between women and men.

27. Results of the GEM also reflect a public opinion that girls and boys should be able to choose school subjects according to their interests. This position has weakened, but is still predominant (70 per cent in 2009 and 62 per cent in 2013). At the same time, more than half of respondents believed that e.g. in craft or physical education classes subjects should be taught to boys and girls rather in a different way. This position has strengthened slightly compared to 2009 (54 per cent in 2009 and 59 per cent 2013). Many of respondents think that in the upbringing of boys it is important to teach them technology, driving, and to be entrepreneurial and succeeding. In the upbringing of girls, it is important to teach them communication and self-expression skills, skills to behave and etiquette, culinary skills, caring for their appearance and home cleaning. The knowledge how to handle money is considered important for both. These attitudes were similar in 2009 and in 2013.

28. The results of the GEM show clearly that there is still a need to tackle gender stereotypes in a society. One of the most efficient and sustainable measures for that

is considered to be integration of gender equality into all levels of school curricula. More information on relevant measures is provided under question 7 of the LOI.

Advertising Act

29. State supervision over compliance with the requirements provided for in the Advertising Act is exercised by the Consumer Protection Board. In addition, rural municipality or city government exercise State supervision within its administrative territory with regard to outdoor advertising. In case of violation of the act, the State supervision body can make a precept to order the act to be complied with. Violation of requirements of the act can be punished by a fine. Additionally, in case of failure to comply with a precept of the State supervision body, a separate penalty payment may be imposed.

Awareness raising campaigns and media

30. In 2010, a media campaign was carried out by the Ministry of Social Affairs under the ESF programme. The campaign aimed at reducing gender stereotypes, including stereotyped attitudes against men and women in the labour market. Among target groups of the campaign were pupils soon making decisions about their future careers but also job-seekers who possibly have to make changes in their careers. The message of the campaign was to encourage people to see and think outside gender stereotypes and to be open about their own opportunities. The real-life role-model used in a campaign were of different sex, ethnic background, age and fields of work. The campaign was carried out both in Estonian and Russian.

31. The 2013 media campaign was carried out by the Ministry of Social Affairs under the following ESF programme and also aimed mainly to tackle gender stereotypes and to demonstrate their negative impact on work and career choices. The main activities of the campaign were career days for boys and girls, a widely noticed series of 7 video clips and several PR-initiatives. The video clips tackling the issues of gender pay gap, gender stereotypes, segregation, work-life balance etc. continue to be used also after the campaign. Due to positive feedback from participants, the career days were repeated in autumn 2015 (see more under question 14 of the LOI).

32. In order to support observing gender equality principles in media relevant recommendations are planned in the action plan of the "Welfare Development Plan 2016-2023" to be developed together with media self-regulation bodies in 2019.

Question 7

33. More recent amendments to the national curricula of basic and upper secondary schools have inter alia enhanced the promotion of gender equality at these school levels, including in tuition of social subjects, career planning, technology and handicraft.

34. In the curriculum, gender equality and human rights are integrated under core competences. In addition, teachers have been provided descriptions of the learning process, where they have a more detailed explanation on how to integrate gender equality to their subjects. In 2016, there descriptions will be examined and complemented.

35. According to a regulation of the Minister of Education and Research, study literature must be based on the core values established in the national curriculum, whereas it must take into account the principle of multiculturalism and avoid stereotypes that incite gender based, nation based, religious, cultural or racial prejudice.

36. Additionally, gender equality experts have been involved in the process of developing a new Education Act to ensure the consideration of different gender aspects in education.

37. Two larger-scale projects were financed through an open call from the Norway Grants 2009-2014 gender equality programme and implemented in 2014-2015. The objective of the Estonian Women's Associations Roundtable's project was to promote gender equality through integrating the gender perspective into teacher education and training, raising gender awareness of teacher educators and practicing teachers and developing a comprehensive system of support to achieve the objective. The objective of the Praxis Centre for Policy Studies' project was to promote gender equality in Estonia through mainstreaming the gender equality into higher education. The main outcome of the project was a gender equality study programme to be integrated into the programmes of social sciences and teacher education. Several smaller projects promoting gender equality in education were additionally financed through the programme.

Violence against Women

Question 8

Legislation

38. The Government has sent to the Parliament draft law amending the Victim Support Act. The amendment provides for the first time in a legal act a description of women's shelters activities as a service, thus providing more sustainability and more secure financing for organisations providing such services in the future.

39. In the framework of preparing for ratification of the Council of Europe Convention on preventing and combatting violence against women and domestic violence (planned for 2017), the Ministry of Justice has prepared amendments to the Penal Code to criminalise stalking, forced marriages and female genital mutilation. The amendments are also planned to include criminalization of buying sex from the victims of human trafficking and regulation for face coverings.

Ex officio prosecution

40. According to the Police and Boarder Guard Board, reporting about cases of violence has increased. In 2014 the average number of reports was 32 per day, in 2015 already 35. During the holidays there were 45-50 reports per day.

41. According to the Code of Criminal Procedure, investigative bodies and prosecutors' offices are required to conduct criminal proceedings upon the appearance of facts referring to a criminal offence, unless specific circumstances provided for in the same code exist.

Data

42. The number of registered cases of family violence has increased. When in 2012 the number was 2,231, in 2013 it was 2,752, in 2014 — 2,721 and in 2015 — 2,997. In 2015, family violence counted up to approximately 10 per cent of all registered crimes and 38 per cent of all violent crimes. In 2015, 85 per cent of cases of family violence included physical abuse, 10 per cent of cases threat and 2 per cent of cases an offence against sexual self-determination. In 2/3 of cases the violence occurred between former or present partners. 82 per cent of family violence victims and 11 per cent of abusers are women.

43. No updated data can at this point be provided concerning prosecutions, convictions and sentences imposed on perpetrators nor redress provided to the victims. Available information shows though that in many family violence cases criminal proceedings are terminated on the basis of conciliation. In all together 934 cases in 2015, criminal proceedings were terminated on this basis (747 in 2012). 84 per cent of these cases were of physical abuse, most of these cases of family violence. Imposing a term of actual imprisonment is not very common, more frequently a conditional sentence is used. At the same time, amendments to the Penal Code that came into force in 2015 foresee stricter punishments for physical abuse in case it is committed in a close relationship or relationship of subordination. When usually the sentence can be either a pecuniary punishment or up to one-year imprisonment then in these cases an imprisonment of up to five years can be sentenced.

Question 9

Support services and research

44. Changes planned to be made to the Victim Support Act are described under question 8 of the LOI. At the moment, accessible and free social services, including specialised legal and psychological services are provided for victims of violence against women in 16 shelters all over Estonia.

45. In 2015, also services were launched for the victims of sexual violence. An ongoing project implemented by the Estonian Sexual Health Association creates networking and readiness in hospitals to provide specialised support for rape victims.

46. Different studies were carried out in the framework of projects of the Norway Grants programme (p 84 of the CEDAW report). Estonian Institute for Open Society prepared an analysis of the cost of gender based violence which can be used as a basis for more economically sustainable policy decisions in the future. Additionally, a survey conducted by the Estonian Women Shelter Union on the content of the services showed a high satisfaction with the availability and quality of the services all over the country. Also a survey and a study were conducted to improve knowledge and data about the nature and spread of sexual violence in Estonia.

Council of Europe Convention on preventing and combatting violence against women and domestic violence

47. Estonia is expected to be ready for ratifying the Council of Europe Convention on preventing and combatting violence against women and domestic violence in

2017, after the adoption of amendments to the Penal Code referred to under question 8 of the LOI.

Strategic planning

48. "Development Plan for Reducing Violence 2010-2014" designated responsible bodies, concrete activities and finances for prevention, victim support and tackling the crimes. In order to better address the challenges with reducing violence, a special network of civil servants and NGOs was created for each area of the development plan. The network is active also today thus enabling strong commitment and sustainable work against violence. Common training seminars on domestic violence for police, prosecutors and judges specialized in the area of domestic violence supported further co-operation. Trainings for judges and prosecutors help to ensure more effective handling of the cases of domestic violence. Also empowerment trainings for girls aged 14-17 were conducted in 2010-2012.

49. "Strategy for Preventing Violence 2015-2020" is a strategy to reduce violence related to children, domestic violence, gender-based violence and trafficking in human beings. All relevant ministries and NGOs are involved in implementing of the strategy which includes activities for general prevention (mostly awareness-raising), risk-group specific prevention and dealing with consequences of violence. Prevention activities include information campaigns against sexual violence and human trafficking, lectures to high school and vocational school student on violence and human trafficking etc. The strategy also includes activities to provide services for victims of gender based violence, sexual violence and human trafficking, including prostitution.

Prevention, awareness raising and training

50. Norway Grants domestic and gender-based violence programme (p. 84 of the CEDAW report) focused on public awareness raising activities, improving the quality and availability of services and carrying out studies and surveys to serve as basis for future decisions and activities.

51. In addition to several awareness raising campaigns run by the projects under the Norway Grants programme, the project "Bringing up a violence free generation", financed from the EU Progress Programme and implemented in cooperation of the Ministry of Justice, the Ministry of Social Affairs, the Ministry of the Interior, the Police and Border Guard Board, the Estonian Women's Associations Roundtable Foundation and the Association of Estonian Open Youth Centres was implemented in 2014-2015. Among the activities was an awareness raising campaign "Open your eyes" targeting young people, training of the trainers and specific empowerment trainings targeting boys and girls. Rather innovative in the project was the cooperation with annual biggest dance event "The School Dance" that created good opportunity to approach young people all over Estonia and talk about gender roles and gender based violence.

52. Network training project is being implemented since 2013 to improve cooperation between different institutions dealing with victims. It is addressing members of cooperation network, including victim support workers, women's shelters' workers, police officers, prosecutors, judges, social workers, child protection workers, medical professionals, professionals dealing with perpetrators, etc., in order to improve the efficiency of solving cases of violence in the legal

system as well as the accessibility and quality of the help offered to victims in all Estonian counties. 25 trainings have been organised and approximately 1100 persons from different institutions have participated.

53. There have been many different extra training courses for police officers regarding the rights and needs of victims in Estonia (including on how to help and communicate with the victims of sexual offence). There is also a specific training for the police regarding the interaction with and interviewing children. The training lasts 15 study days and contains video training on how to use child-sensitive interviewing techniques. Trainings are organized by the Public Service Development and Training Centre.

54. Estonia is also planning a comprehensive sensitivity training that contain practical training of effective communication skills with the victims in general and with various different groups of victims for the police, prosecutors, judges and victim support workers.

Trafficking and sexual exploitation

Question 10

Strategic planning

55. The purpose of the "Development Plan for Reducing Violence for years 2010-2014" was to reduce and prevent violence in its various forms, including human trafficking. There were annual assessments in order to obtain an overview of the application of the activities planned in the development plan. For that purpose, each relevant ministry — the Ministry of Education and Research, Ministry of the Interior, Ministry of Social Affairs, and Ministry of Foreign Affairs — prepared an annual summary concerning the implementation of the measures and activities in their area of responsibility and submitted it to the Ministry of Justice who was responsible for the implementation of the Plan.

56. There were several positive results of the development plan. In the previous strategy, trafficking for labour exploitation did not receive special attention. This time, analysis of the occurrence of forced labour and the identification of the victims thereof was completed in cooperation with the University of Tartu, HEUNI and the University of Warsaw and on the basis of it provision of information primarily to the relevant specialists and authorities was organised. Also, since 2009 victim support services have been financed from State budget, and the development plan guaranteed stronger involvement of the State in financing both the services and prevention activities. The role of different authorities was determined more clearly in the framework of the Development Plan, also internal and cross-border data exchange was improved. Enhanced attention was paid to the training of the relevant specialists, e.g. police officers, border guards, social workers and child protection officials in order to provide the best professional approach to victims and cases.

Data

57. Exact data on the number of victims of human trafficking for the period until spring 2012 is not available due to the lack of specific anti-trafficking legislation. In 2012, the Penal Code was amended and human trafficking was criminalised as a specific crime (see p. 96-97 of the CEDAW report). Before these amendments different other related provisions were used in prosecuting crimes of trafficking,

such as enslaving, aiding prostitution, etc. This regulation did not enable to take properly into account human trafficking issues such as the recruiting, transporting and exploiting of victims.

58. In 2009-2012, victims were unofficially identified by NGOs providing services for them (p 94 of the CEDAW report). Starting from the second half of 2013, arranging of services was taken over by the Social Insurance Board. Victims receive help after being officially identified by the Police and Border Guard Board. In 2014, 2 victims received services (1 sexually exploited girl and 1 male victim of labour exploitation). In 2015, 13 new victims were identified (9 women and 4 men, 3 labour trafficking cases and 10 sexual exploitation cases, 11 of all the cases involved minors).

59. The number of offences of trafficking in persons recorded, number of persons against whom prosecution has been commenced and the number of persons convicted in 2009-2015 is available in Table 1 in the Annex.

60. Punishments sentenced to persons convicted of trafficking in persons varied from suspension of sentence under probation from 3 to 5 years to actual imprisonment from 1 to 10 years.

Support programmes

61. Regarding victim assistance, until 2013 the services were provided according to service providers` identification. Safe housing, social, psychological and legal counselling was provided. Since 2013, Social Insurance Board organises the services, but the services themselves are still provided by NGOs with great experience in victim support. In addition to aforementioned services, also catering, necessary material assistance, translation and interpretation services are available. The services are provided until the need for the services ceases to exist.

62. A victim identification and support guideline has been available since 2009 (p. 110 of the CEDAW report). The guideline is available for all the officials and service providers, including judges, prosecutors, consular officials, etc. The Ministry of Social Affairs also conducted trainings on the use of the guidelines and revises the document regularly to keep it up to date. Thus, efforts are made so that in the whole chain of proceedings the specialists dealing with cases of trafficking in human beings would have common understanding of the problem of trafficking in human beings, including identification of victims, the need and possibilities for referring to receive professional assistance and specifications of the procedure.

Asylum claims

63. According to the Aliens Act, the prosecutor's office or an investigative authority is obliged to notify the victim of trafficking of the possibilities and conditions for applying for international protection. The applicant for asylum has the right to stay in the territory of Estonia until the final decision with regard to the dismissal of an application or revocation of international protection is made by the administrative court.

Third country nationals

64. Third country nationals who are victims of trafficking are also informed of the possibility of obtaining residence permit and are given a period in which to reflect on their position. During the reflection period it is not allowed to enforce any removal decisions against the victims of trafficking and they have the same rights to services as described above (safe housing, social, psychological and legal counselling, medical aid etc.).

Question 11

65. There have been no recent studies on the prevalence of prostitution. Estimations from different sources such as police officers dealing with pimping cases, NGOs providing services, and researchers have over the years come up with suggestions ranging from 600 till 3,000 women in prostitution (the latter one from 2006). NGO Eluliin's Atoll centre, the only organisation concentrating on supporting prostituted persons, provides services for around 250-300 persons per year, most of them women.

66. Prostitution is mostly considered as a form of violence against women and mediating prostitution as a trafficking-related crime. Prevention and victim support strategies are based on these assumptions. All the services are free of charge and anonymous. Women are treated with dignity and respect, and specialists working with them are very well trained psychologists and social workers. Support centres are located in Estonian capital and South and Northwest region, thus providing services in three spots. Social, legal and psychological counselling is provided as well as health services and medical check-ups.

67. In 2015, a new project with NGO Eluliin and the Estonian Unemployment Insurance Fund started, helping women who have exited prostitution to join the labour market. Women receive job training and relevant additional support services from the Fund, and at the same time are supported by the specialised NGO.

68. Studies conducted by the Health Development Institute (State organisation under the Ministry of Social Affairs) show that women in prostitution are rather well informed about health issues.

69. Several activities to support trafficking victims and to prevent trafficking were also financed through the Norway Grants programme (p. 111 of the CEDAW report). Development of services for trafficked women and women involved in prostitution, as well as research on the needs of trafficked and sexually exploited persons and training of prosecutors and other relevant stakeholders were conducted during the programme period. The programme also enabled close cooperation with Norwegian specialists, with Estonian NGOs going on study visits to Norway and Norwegian experts coming to Estonia to train prosecutors, victim support specialists, and officials from different relevant ministries.

70. Discouragement of male demand for prostitution is partly dealt with in a new draft amendment law criminalising buying of sex from trafficking victim. The Penal Code is expected to be amended in 2016.

Participation in political and public life

Question 12

Data

71. In 2015, the number of civil servants in decision-making positions in State and local government administrative agencies was 2,643. Of them, 1,275 (48.2 per cent) were women.

72. In May 2016, there were 213 municipalities (30 cities and 183 rural municipalities). There were 177 (83 per cent) men and 35 (17 per cent) women among the heads of rural municipality and city mayors. One of the rural municipality mayors was not appointed at the moment the data was retrieved. There are 177 (83 per cent) men and 36 (17 per cent) women among the chairmen of the municipal council.

73. According to the results of the local government council elections in 2013 and election results of one local government merger in 2014, there were altogether 2,935 municipal council members of whom 908 (31 per cent) were women and 2,029 (69 per cent) men.

74. Among career diplomats 45 of 99 are women (45.5 per cent). Representation of women in diplomatic positions in 2012-2015 is presented in Table 2 and Table 3 in the Annex.

75. There are 251 judges and higher civil servants in courts, of whom 159 (63.3 per cent) are women.

Measures

76. In order to create a discussion about opportunities of women in high-level politics, the Gender Equality and Equal Treatment Commissioner published an analysis about the position of women in electoral lists before the parliamentary elections in spring 2015. Additional analysis was prepared based on the results of the elections.

77. Under the gender equality sub-objective of the "Welfare Development Plan 2016-2023" and its action plan, one of the focus areas is a balanced participation of women and men on all levels of decision-making in politics. An indicator of the domain "power" from the Gender Equality Index of the European Institute for Gender Equality will be used to measure progress in this field. According to the action plan, awareness-raising measures will be implemented in the coming years to raise an awareness of entrepreneurs about a need and possibilities to improve gender balance in a management level of organisations. Additionally, awareness-raising activities will be planned to support possible use of a zipper-method in electoral lists.

Women in institutions involved in the review of constitutionality and legality

78. The number of female judges at the Supreme Court has risen from 2 to 5 (of 19). Positive change can also be noted at the leadership level positions in institutions involved in the review of constitutionality and legality. In 2014, the Government appointed a woman as the Chief Public Prosecutor and in 2015, the Parliament appointed a woman as the Chancellor of Justice. Positions like those of Auditor General, the Chief Justice of the Supreme Court, the State Secretary, and

the Director of the State Chancellery etc. are held by men. No specific measures are planned to improve gender balance in leadership positions of these institutions.

Question 13

79. Execution of the Action Plan 2010–2014 for implementing UNSCR 1325 (NAP) can be considered successful. Estonia has actively spoken on UNSCR 1325 subjects on the international arena and has increased domestic awareness. A close cooperation on international level, between various administrative agencies and civic society has functioned well during the past five years.

80. Estonia has introduced its UNSCR 1325 related activity in the development and humanitarian aid cooperation partner countries through the international organizations. Whenever possible, the importance of gender aspect was always emphasised in cases of granting humanitarian assistance and support to the alleviation of the situation of women and children constituted nearly 95 per cent of the amounts granted.

81. Estonia has financially supported international organizations, whose activity is aimed mainly at the goals of UNSCR 1325: the UN Development Programme, the UN Population Fund, the UN Women, the UN Girls' Education Initiative and the UN Children's Fund.

82. One of the achievements of the implementation of the NAP on national level was creating the opportunity for women to participate on equal footing with men in conscript service in 2013. Uniform conscript service ensures an equal starting level for all members of the Defence Forces, equal opportunities to show their strengths and abilities and progress later on in their military career.

83. NGOs involved in implementation of the NAP played an important part in increasing awareness and including women by actively organizing trainings, roundtables and other activities. According to the assessment of the Estonian Atlantic Treaty Association, the NAP has increased awareness of women's situation during conflicts and of various areas of the defence policy. Compared to the period before the NAP, the number of events and projects on this subject has increased significantly.

84. At the same time, implementation of the NAP confirmed that objectives of the Resolution 1325 cannot be achieved in a short period of time. Therefore, Estonia adopted its second NAP for 2015-2019.

85. Final Implementation Report of the Action Plan 2010-2014 for implementing UNSCR 1325 is available at: http://www.vm.ee/en/gender-perspective-conflict-situations-un-security-council-resolution-1325.

Employment

Question 14

Horizontal and vertical gender segregation of the labour market

86. Two awareness-raising campaigns referred to in point 183 of the CEDAW report have been described in some detail under question 6 of the LOI.

87. Additionally, in autumn 2015, in the framework of the ESF programme, the second career days for boys and girls were carried out in chosen vocational schools,

universities and workplaces, enabling secondary school pupils to receive first-hand information about professions stereotypically considered as more suitable for representatives of the other sex. All together 193 pupils in the age group of 15-19, 45 per cent of them boys and 55 per cent girls, took part of the events.

88. The "Welfare Development Plan 2016-2023" and its action plan foresee activities to target also segregation. In order to tackle horizontal segregation, measures are planned e.g. to raise pupils' awareness about the impact of stereotypical career choices on a society and its members but also about possibilities for a non-stereotypical career choice. Also, measures are planned to raise relevant awareness and capacity of career counsellors. In addition, specific (awareness raising) measures are planned to increase gender balance among teachers, entrepreneurs and in the ICT sector. Examples of measures planned to decrease vertical segregation have been referred to in question 12 of the LOI.

Women among academic staff

89. Most recent data on the proportion of women among teaching staff is provided in Table 4 in the Annex. Additionally, among researchers and engineers also belonging among academic staff, women made up 44 per cent and men 56 per cent in 2014, the proportion being similar in the period of 2010-2013.

90. Estonian Research and Development and Innovation Strategy 2014-2020 "Knowledge-based Estonia" highlights equal opportunities and gender balance in research. Strategy includes four measures, one of which — Ensuring the high level and diversity of research — deals also with gender equality, ensuring monitoring that equal opportunities, including gender balance, be ensured when filling positions, allocating grants and forming decision-making bodies.

91. It is important to note the high level autonomy of a research and development institution especially when it comes to personnel policy including recruitment or working conditions. Several Estonian universities have been participating in the projects to support and develop a gender balance or mainstreaming at the institutional level (for example dual-career, gender sensitive recruitment). The Agreement on Good Practice in the Quality of Estonia Universities, initiated by the Rectors' Conference, representing all universities in Estonia, specifies the duties and tasks to be undertaken by participating higher education institutions. Point 10 of the Agreement refers to the implementation of the European Charter for Researchers and Code of Conduct for the Recruitment of Researchers which includes gender equality principles.

Gender pay gap data collection

92. According to Statistics Estonia, average gender gap has slightly decreased in the period of 2011-2014, from 24.4 per cent to 23.4 per cent (see Figure 1 in the Annex). According to the Ministry of Finance, gender pay gap in civil service was 9.2 per cent in 2015.

93. In 2013, the Statistics Estonia started to implement a project "Increased availability of gender pay gap statistics". In the course of the project, already existing data sources (surveys, registries) were mapped to find the best data sources for monitoring the gender pay gap. One key objective and a result of the project was the creation of a combined database that contains not only data on wages, but also

other significant variables necessary for a complex analysis of the gender pay gap. The variables, in turn, help to understand the essence of this phenomenon and provide an explanation for its causes. Publications were prepared in the framework of the project analysing gender pay gap data resources and dynamics of the gap, but also giving an overview of the database creation methodology and of its substance (background variables of the gap). The Statistics Estonia also drafted "Strategy of Pay Gap Statistics 2016-2023" and will continue to move towards using various registries to produce statistics. One potential alternative in the future may be publishing pay gap statistics based on exhaustive registries that would give the most accurate results. Although registries today lack the sufficient amount of background variables there are several that are under development that might in the future allow publishing pay gap statistics along with various background variables.

Question 15

94. Although a slight decrease in the gender pay gap can be seen also when looking at relevant data from Eurostat (from 30 per cent in 2012 to 28.8 per cent in 2014), taking into account a wide range of causes behind our gender pay gap, among them societal patterns, a quick improvement of the situation cannot be expected. Activities planned in the Action Plan to Reduce Gender Pay Gap and implemented in the framework of the ESF and Norway Grants programmes are described under other points of the LOI. These include activities targeting segregation and supporting integration of gender equality topics into school and university curricula, awareness-raising about gender stereotypes and their negative impact, causes of gender pay gap, rights and obligations stemming from the Gender Equality Act, supporting the work of the Statistics Estonia concerning gender pay gap data collection and implementation of tasks of the Gender Equality and Equal Treatment Commissioner etc.

95. The action plan for implementation of the new "Welfare Development Plan 2016-2023" includes a list of measures planned to be taken to decrease gender pay gap. These measures include developing a proposal for a regulation foreseeing equal pay audits in organizations and other efforts to support this activity, preparing a gender pay gap analysis of public service organizations and based on that, recommendations for further measures, preparing proposals to increase transparency of pay information in organizations etc. Also, a guideline will be developed to provide know-how on evaluation and comparison of jobs. The action plan also foresees continuation of awareness raising activities targeting wider society. Please see as well information provided under question 16 of the LOI.

96. No measures are planned to specifically tackle the problem of gender pay gap among women and men with doctoral degrees.

Question 16

Monitoring of the implementation of legislation

97. Regulation concerning a right to equal pay for women and men for the same work and work of equal value is included in the Gender Equality Act, not the Employment Contracts Act. No specific sanctions have been foreseen for employers violating this regulation but in case the rights of a person have been violated due to discrimination, he or she may demand from the person who has violated the rights that the harmful activity be terminated and that the damage be compensated for on

the bases of and pursuant to the procedure provided by law. An injured party may also demand that, in addition, a reasonable amount of money be paid to him or her as compensation for non-patrimonial damage caused by the violation.

98. In order to give additional impetus to the reduction of gender pay gap, an amendment of the Gender Equality Act is under preparation aiming at providing the Labour Inspectorate with a right to exercise State supervision over implementation of the requirement of equal pay for women and men for the same work and work of equal value. Also, relevant guidelines will be prepared and trainings organised.

99. Data on the work of the Gender Equality and Equal Treatment Commissioner and Labour Dispute Committees is provided in question 1 of the LOI. No comprehensive data can be provided about court cases.

Work-life balance

100. From January 2013, remuneration on the basis of fathers' average wage was reinstated for a 10-working-day paternity leave that can be taken during the two months before the estimated date of birth and the two months after the birth of the child. The aim of this measure is to encourage more active fatherhood. It is additional to the general childcare leave, which is accessible to both parents. See Figure 2 in the Annex for paternity leave statistics.

101. There is no official data about the use of childcare leave by women and men but it is possible to evaluate the approximate numbers by looking at statistics concerning recipients of parental benefit (see the description of the system in p. 206 of the CEDAW report). The share of men among recipients of parental benefit continues to be less than 10 per cent (9 per cent in 2014) (see Figure 3 in the Annex).

102. According to the Statistics Estonia, the number of men working part-time in main job has increased from 1,500 in 2006 to 4,000 in 2015. According to the GEM 2013, 38 per cent of respondents think that in their workplace it is difficult for fathers of small children to work part-time and 29 per cent that in their workplace men have difficulties to stay home with their sick children.

103. The need and options for supporting a notable change in sharing care responsibilities between women and men have been addressed in a Green Paper on family benefits, services and parental leave which was discussed by the previous Government in 2015. Policy recommendations of the paper suggested giving more choice to parents with regard to length and compensation of the parental leave, herewith supporting flexible return to work. Another recommendation suggested introducing use-it-or-lose-it principle to the parental leave system, by allocating part of the leave only for a mother and part of it only for a father. Further analysis and policy proposals based on the Green Paper are expected to be submitted to the present Government in 2016.

104. In 2015, there was a shortage of 2300 childcare places in Estonia. With a co-financing from the ESF, the Ministry of Social Affairs is supporting establishment (mainly service provision) of 1,200 new childcare places. In 2015, funds were allocated to 23 local governments to establish more than 600 new childcare places. The next call for proposals will be carried out in 2017, during which more focus will be put on flexible childcare arrangements, for example childcare provided by an employer, during non-traditional working hours etc.

Additionally, the Ministry of Finance is, with a co-financing from the ERDF, supporting the establishment (building new houses and doing extensions) of up to 2300 new childcare places in biggest cities and their vicinity. Implementing those measures will in all probability fulfil the need of childcare places and ensure the availability of childcare services at local level.

Nationality

Question 17

105. According to the Police and Border Guard Board, on 1 January 2016 the number of persons with undetermined citizenship was 84,663 (103,586 in 2011). More detailed data on the number of persons with undetermined citizenship in 2011 and 2016 is presented in Table 5 in the Annex.

106. Most recent relevant legal measures have been described in the CEDAW report. Estonia is committed to motivating persons with undetermined citizenship to obtain citizenship as speedily as possible. However, at present there is no political initiative to grant citizenship automatically to children who are between 15 and 18 years of age with undetermined citizenship and children born to parents who have a nationality of another State.

Health

Question 18

Access to health care and coverage

107. At the beginning of 2016, out of the whole population 96.5 per cent of women and 91.3 per cent of men were covered by mandatory health insurance. Estonia aims to move towards universal coverage through covering gradually additional uninsured groups. During 2012–2014 some previously uncovered groups obtained coverage, among them: 1) artists and creative persons through Creative Persons and Artistic Associations; 2) persons, receiving remuneration or service fees through several and/or short contracts under the law of obligation through summarizing their social tax; 3) spouse participating in activities of undertaking of a self-employed person.

108. Still, the uninsured are entitled to emergency ambulance care, emergency primary care and emergency hospital care financed from State budget. Most of local municipalities also cover primary and special care services for their uninsured citizens. Also, all harm reduction services (e.g. HIV and TB treatment, youth sexual counselling, STD diagnostic up to age 25 (incl.)) are free to everyone and financed from State budget.

109. Geographical access principle for planning inpatient specialist care in Estonian hospital network has been the "golden hour principle" or 70 km travelling by car from every populated place in the country. According to the Statistics Estonia, 99 per cent of population has geographical access to county hospitals and II-III level hospitals within 60 minutes. For primary care the maximum distance according to the "Primary Care Development Plan 2009-2015" has been 30 km, and the analysis of the Statistics Estonia shows, that in 2014 most of the population had primary care geographical access within 15 minutes (travelling by car).

Access to health care — waiting times

110. According to the patient satisfaction survey (2015), access to the general practitioners or nurse services has been stable in the last few years. 29 per cent of patients got general practitioner's or nurse's appointment on the same day, 43 per cent within 2-4 working days, 17 per cent within 4-5 working days. This means that 89 per cent patients got to general practitioners or nurses appointment within 4-5 working days or faster. In 2015, 25 per cent of patients got to specialist care appointment within a week. 52 per cent within a month. 43 per cent of patients had to wait for more than a month. There hasn't been a significant change since 2009.

Reforms for timely access

111. Strengthening primary care and its more effective "gate keeper's" role and reducing the pressure to the special and hospital care is the main goal of a project of building the network of primary health-care centres with multiprofessional teams of specialists in every primary health centre. The project is funded from ERDF and will start in the end of 2016.

112. One more measure to decrease the waiting time is giving more responsibilities to family nurses who already have a right to consult independently acute and chronic patients and also have a right to prescribe some medicines (a repeated prescription). Giving more responsibilities to family nurses and other specialists in primary care teams helps to save general practitioners time and to maintain good access to primary care with wide scale of services.

113. Reorganizing hospital sector and networking between big competence centres and small county hospitals helps to assure necessary ambulatory specialist care and day care in rural areas.

E-solutions supporting improved access to health services

114. Innovative solutions such as e-consultation and e-visits were included among EHIF services in 2013. E-consultations are mainly held between a general practitioner and a specialist. These services are financed as usual visits and enable to avoid unnecessary visits to the specialist. The scale of specialities covered as well as health-care providers included into the new system increases gradually.

115. Additionally, central e-registering system for all public sector hospitals is in the process of implementation and will start functioning in 2017 at the latest. It gives a patient the possibility to compare waiting times of different providers. Digital registration system will enable the patient to see from portal all of the doctor's reception hours and lines and register for a visit if they have a digital referral note.

116. A nationwide Electronic Health Record enables doctors to access patient's records easily from a single electronic file. Also patients have an access to their own records as well as those of their children through the Patient Portal which enables them to see their prescriptions and visits but in addition also control which doctors have access to their files, and even receive general health advice.

117. Introduction of digital prescriptions enables doctors in case of chronic and similar diseases to issue a (refill) prescription for medicines over distance, without patients' visit, straight to nationwide e-Prescription system after which the patient

can pick up the medicine from any pharmacy. This saves time for patients and leaves more time to doctors for treating urgent patients.

118. In 2015, the Government approved the "Estonian e-Health Strategic Plan until 2020". The strategy puts into focus the development of services enabling to prevent and solve people's health problems. It addresses the quality and infrastructure of health data, personalized e-services and personal medicine, comprehensive case handling and integrating services, monitoring and analysis of the performance of health services and development of remote services.

HIV/AIDS

119. Access to health-care services is regulated by a minister's regulation where requirements for accessibility are described with the maximum waiting time. Decisions about waiting time targets for ambulatory specialist, day care and inpatient care are delegated to the EHIF Supervisory Board and are revised regularly. The maximum waiting time for specialist (not in emergency cases) care is six weeks for ambulatory specialized care and eight months for inpatient care and day surgery. The latest data from 1st of April 2016 shows that in 69 per cent of cases the waiting time for appointment of doctors specialised on infectious diseases was within the allowed maximum limit of six weeks.

120. Antiretroviral treatment and other services related to HIV/AIDS are free for all who need them. ARV-treatment is offered in 6 treatment centres in Estonia and additionally in prisons. ARV-treatment is guaranteed to all pregnant women, in order to prevent from mother to child infection. In 2015, 464 patients started ARV-treatment, 181 of them were women.

121. All HIV positive persons and their close ones are offered counselling by the State. In 2015, 417 people received counselling, half of them were also dealing with addiction. Unfortunately no sex-disaggregated data is available.

Reproductive health and responsible parenthood in school curricula

122. Both national curricula — for basic and upper secondary school — foresee addressing the topic of "Health and safety" as a cross-curricular topic. Cross-curricular topics are a means of integrating general and subject field competences, subjects and subject fields, and are taken into account in developing the school environment. Cross-curricular topics span numerous subjects and are priorities for society, and enable creation of an idea of the development of society as a whole, supporting the student's capacity to apply his or her knowledge in different situations.

123. A separate subject "Human Studies" in the curriculum of basic school addresses topics of sexuality and reproduction and covers the issues of sexually transmitted diseases, principles of safe sexual behaviour, responsibility in sexual relations, human rights related to sexuality etc. A subject "Family Studies", taught at upper secondary school level, addresses topics of family and its creation, child-rearing etc.

Disadvantaged groups of women

Question 19

Situation of disadvantaged groups

124. The Gender Equality and Equal Treatment Commissioner ordered in the framework of the Norway Grants project development of an equality measurement framework. The framework consists of a list of indicators in different areas of life (e.g. education, work, health, etc.). Data is analysed and conclusions drawn for different groups, e.g. women, men, different age groups, persons with disabilities, sexual minorities, native Russian speakers and other ethnic minorities. According to the first analysis of indicators used in the equality measurement framework, gender inequality manifests primarily in career, sense of security, education, health and politics. The main problems of ethnic minorities are connected to health, career and living standards. Age inequality mainly manifests itself in areas connected to life, work and living standards but also in political representation. Many problems of persons with disabilities stem from access to education and manifest later in the inequality of work, income and living standards. The main problems of the LGBT group stem from the prejudice and negative attitudes that manifest in harassment and exclusion at the workplace and education system, and problems with safety (becoming subject to violence). Further information is available in an analytical overview of the framework published by the Office of the Commissioner: http://www.vordoigusvolinik.ee/wp-content/uploads/2016/03/mudel_final.pdf (please see pages 158-160 for a summary in Russian and pages 161-162 for a summary in English).

Asylum-seekers and gender-based violence

125. All asylum seekers have a right and access to free accommodation. The number of single women applying for asylum is very low in Estonia. It means that authorities are able to provide services and help on individual bases. If needed, there is a possibility to provide accommodation outside the accommodation centre for asylum seekers. Also, single women are accommodated separately from single men. Additionally, all asylum seekers have free access to medical services, including psychiatric care. Also medicines prescribed by a doctor are free for asylum seekers. All asylum seekers will pass the after arrival interview with accommodation centre's social worker. This interview is also used to identify asylum-seeking women survivors of sexual and gender based violence. During their stay in accommodation centre they have an every-day access to social worker and if needed also to psychologist.

Marriage and family relations

Question 20

Legal age of marriage

126. According to the Estonian Family Law Act a court can extend the active legal capacity of a person who is at least 15 years old for the performance of acts required for the contraction of marriage and for the exercise of rights and obligations related to marriage.

127. In 2013 Estonian legislator, due to criticism Estonia has received from international monitoring bodies, discussed a possibility of raising the age limit to 18 in all circumstances but the initiative received negative feedback from the interest groups. It was pointed out that first and foremost, the interests of the minor and her child and the right to be born into a family with two married parents should be considered. Therefore, it was decided not to abolish the limited exception yet.

128. Taking into account the feedback received and the fact that such an extension of active legal capacity is ruled only in exceptional cases where the court has done a thorough evaluation of the minor and the situation the minor is in and also taken into account the opinion of the minor's parents and the local government's competent officials, we see no legal nor social problem with the current regulation. The court extends a minor's active legal capacity for the contraction of marriage only in cases where it is necessary on the basis of the minor's interests and where the minor's level of maturity allows it. Such point is also proven by the statistical numbers: both in 2013 and 2014 only 5 marriages a year were c ·cted where one or both of the partners were under 18.

Cohabitation Act

129. The Registered Partnership Act was adopted by the Parliament in 2014 and entered into force on 1 January 2016. It provides that a partnership may be registered between two natural persons of whom at least one has residence in Estonia. As the act makes no reference to partners' sex, it thus provides possibilities also for registered same-sex partnership. A partnership contract must be attested by a notary. Details of the registered partnership contract will be entered in the Population Register and the Proprietary Relationship Register. Pursuant to the Registered Partnership Act the parties who have entered into a registered partnership contract, the so called registered partners, are required to support and maintain each other. Registered partners have equal rights and duties with respect to one another. They have to organise their cohabitation together by considering the well-being of one another and they accept responsibilities relating to the cohabitation with regard to the other.

130. Registered partnership was drafted as an almost identical institute to marriage, giving the partners exactly the same rights and obligations as marriage would. However, due to the fact that the act itself did not entail necessary implementing regulation and no additional legislation has yet been adopted in this regard, the implementation of the Registered Partnership Act is not fully realised. Although it is possible to get the contracts attested by a notary it is not possible to enter the details of the agreement to the necessary registers (i.e. it does not create legal certainty) and it does not give the legal guarantees to the registered partners that it is supposed to (i.e. it does not have any effect towards proprietary relationship, inheritance, etc.). The draft law with the necessary implementing regulation has been presented to the Parliament and has passed the first reading.

131. Regarding de facto unions, the legislator has not seen a necessity to establish certain rules. Everyone is free to manage their own relationships, which means the overall civil law regulation applies, with the exception of relationships between parents and their children, which is governed by the Estonian Family Law Act according to which both parents have equal rights and obligations.

Immigration detention centres

132. The Obligation to Leave and Prohibition on Entry Act provides that family members shall be accommodated together in the detention centre. Internal rules of detention centre have been amended to allow female and male detainees to visit each other in the detention centre.

Optional Protocol and amendment to article 20, paragraph 1

Question 21

133. Ratification of the Optional Protocol to the Convention and acceptance of the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee are still in the planning phase.